

**CITY COUNCIL OF THE CITY OF SAN DIEGO
SUPPLEMENTAL DOCKET NUMBER 1
TUESDAY, FEBRUARY 6, 2001**

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS

ORDINANCE TO BE INTRODUCED AND RESOLUTION:

ITEM-S500: Two actions related to Ratification, Validation, or Readoption of Ordinances and Resolutions Related to the Ballpark and Redevelopment Project.

CITY ATTORNEY'S RECOMMENDATION:

Introduce the following ordinance in Subitem A and continue the resolution in Subitem B until the ordinance comes back to Council for adoption:

Subitem-A: (O-2001-114)

Introduction of an Ordinance readopting, validating or ratifying as necessary the following ordinances to reaffirm their validity, and the validity of the contracts and agreements authorized by them, commencing with their respective times of adoption, and to effectuate their continuing validity, and the validity of the contracts and agreements authorized by them: O-18747;

All other official acts taken on behalf of the City as of the respective times of such actions, pursuant to authorizations given by each of the Ordinances, and all other acts of the City, the City Council, and the City's officers, employees or agents implementing, related to or otherwise in furtherance of the Ordinance, MOU, the Project or any of the Ordinances, and to the maximum extent required by law, are hereby validated, ratified and approved, so as to declare their validity, commencing with their respective times of adoption and to effectuate their continuing validity;

It is the intent of the City Council that, as authorized and directed by the Ordinance and MOU, this action is in furtherance of and implements both the Ordinance and MOU and is thus administrative and non-legislative in character;

Authorizing the City Manager, City Attorney, City Clerk, and City Auditor & Comptroller to take any and all necessary or appropriate actions to implement the intent and purpose of this ordinance;

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS (Continued):

ORDINANCE TO BE INTRODUCED AND RESOLUTION(Continued):

ITEM-S500: (Continued):

Consistent with Section XXXIII.A of the MOU, the City Council reaffirms and reserves to the City the right to determine that the terms of any City or Agency funding or financing, whether interim or permanent, must be reasonably acceptable to the City, which terms include, but are not limited to, that status of sources of revenue to pay for the funding or financing (including but not limited to hotel rooms, transient occupancy taxes and the investment from the Unified Port District), and any other matter which may affect the City's financing not only of the Project but of any other current or future City project.

Subitem-B: (R-2001-1104)

Readopting, validating or ratifying as necessary the following resolutions to reaffirm their validity, and the validity of the contracts and agreements authorized by them, commencing with the respective times of adoption, and to effectuate their continuing validity, and the continuing validity of the contracts and agreements authorized by them: Nos. R-292298; R-292440; R-292441; R-292333; R-292615; R-292697; R-292698; R-292699; R-292700; R-292701; R-292702; R-292703; R-292706; R-292707; R-292800; R-293854; and R-294389;

Declaring that all other official acts taken on behalf of the City as of the respective times of such actions, pursuant to authorization given by each of the Resolutions, and all other actions of the City, the City Council and the City's officers, employees or agents implementing, related to or otherwise in furtherance of the Ordinance, MOU, the Project or any of the Resolutions, and to the maximum extent required by law, are hereby validated, ratified and approved, so as to declare their validity, commencing with their respective times of adoption and to effectuate their continuing validity;

It is the intent of the City Council that, as authorized and directed by the Ordinance and MOU, this action is in furtherance of and implements both the Ordinance and MOU and is thus administrative and non-legislative in character;

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS (Continued):

ORDINANCE TO BE INTRODUCED AND RESOLUTION(Continued):

ITEM-S500 (Continued):

Consistent with Section XXXIII.A of the MOU, the City Council reaffirms and reserves to the City the right to determine that the terms of any City or Agency funding or financing, whether interim or permanent, must be reasonably acceptable to the City, which terms include, but are not limited to, that status of sources of revenue to pay for the funding or financing (including, but not limited to, hotel rooms, transient occupancy taxes, and the investment from the Port District), and any other matter which may affect the City's financing not only of the Project but of any other current or future City project;

Authorizing the City Manager, City Attorney, City Clerk and City Auditor & Comptroller to take any and all necessary or appropriate actions to implement the intent and purpose of this resolution.

SUPPORTING INFORMATION:

As directed by the City Council on January 30, 2001, the City Attorney has prepared the necessary action items to ratify and validate previous actions of the City Council authorizing Contracts and Agreements related to the Ballpark and Redevelopment Project. Before the Council today for consideration is one Ordinance of the City, one Resolution of the City, and one Resolution of the Redevelopment Agency, each of which constitutes a ratification of a listed number of Ordinances and Resolutions which previously authorized Contracts and Agreements. The only action recommended for the meeting of February 6, 2001, is the introduction of the City Ordinance; it is recommended that the Resolutions be continued until the Ordinance comes back to Council for adoption so that a single adoption date will exist for each action.

Also as directed, the City Manager and City Attorney will present a comprehensive status report on the Project, including a review of each of the Contracts and Agreements that will be ratified and the circumstances of their original approval. Each of the prior Ordinances and Resolutions, including the Contracts and Agreements they authorized, will be available to the public prior to and at the Council session, and will be provided under separate cover to the City Council prior to the session.

Girard

